



May 29, 2007

To: Michigan House Regulatory Reform Committee  
Re: HB-4749 to Modify Michigan's Mandatory Helmet Law

**ABATE of Michigan, Inc.**  
P.O. Box 309 - Milford, Mi. 48381-0309

Dear Representative:

I would like to thank you for the opportunity to speak before your committee. My name is Jim Rhoades and I am the Legislative Director for ABATE of Michigan. I am asking for your support for legislation to modernize Michigan's outdated mandatory helmet law by giving adult motorcycle riders the "choice" to wear or not wear a helmet while operating a motorcycle.

Let me make it clear: ABATE doesn't oppose helmet use, we oppose MANDATORY helmet laws.

HB-4749, introduced by Representative Farrah, will modify the present law to give this option to adult riders who are 21 years or older. It will require that the adult rider have at least two years of a "motorcycle endorsement" on their license or who have taken a state approved motorcycle riders course. It will also require a minimum of \$20,000 in medical insurance.

An objective review of **ALL** information available reveals a number of facts that are contrary to what some have been led to believe about the effectiveness of mandatory motorcycle helmet laws. This is backed by statistical data from NHTSA and other federal agencies.

Fatality rates (fatalities/100 accidents) **ARE NOT** higher in states that have modified their helmet laws. Anti-repeal advocates claim that there is a 25-40% increase in fatalities when a state modifies its helmet law. According to the NHTSA data, fatality rates over the last 25 years have been virtually the same for freedom of choice states versus mandatory helmet law states. Motorcycle fatality rates themselves declined nationally by 60% since 1980 -1995 across the board. Please review the attached graph.

If Michigan's mandatory helmet law was effective, why did our motorcycle fatalities go up by almost 60% from 2004 to 2005 and only dropped slightly in 2006. This amounts to an additional 43 fatalities from 2004 – 2005. This figure is substantially greater than the surrounding states, none of which has a mandatory helmet law. When comparing the surrounding states with Michigan, the fatality rates for motorcycles were virtually the same from 1993 – 2002. I have attached a chart for your review.

Could it be that **"there is no significant difference in fatality rates between states requiring or not requiring helmet usage"**? This is quoted from one of the very studies, the Fatal Accident Reporting System (FARS) that our opposition has used to support their position and can be found in FARS reports as far back as the late 70's.

There are thirty (30) states that acknowledge the right of adult riders to decide for themselves as to motorcycle helmet usage. Every state surrounding Michigan allows me this choice. Michigan is losing millions of dollars in tourism, tax revenue, and jobs because motorcyclists from other states do not tour our state because of our outdated helmet law. ABATE of Michigan believes this proposal will have a positive economic impact on our state without reducing our commitment to safety.

Although Michigan has "no fault" insurance, different than many states, no state has increased their insurance rates when they modified their helmet law for adult choice and, more importantly, **NO STATE** has **DECREASED** their insurance rates when a new helmet law has been enacted. Representatives from the insurance industry stated in the Senate Judiciary Committee hearing last session that insurance rates in Michigan will not go up when we modify this states helmet law.

Public burden claims are simply not true. According to Harborview Medical Center, while 63.4% of the injured motorcycle riders in that trauma center relied on public funds, 67% of the general population relied on public dollars. A study by the University of North Carolina's Highway Safety Research Center reported that 49.5% of injured motorcyclists had their medical costs covered by insurance while 50.4% of other road trauma victims were similarly insured. Take into account that less than 6/10ths of one percent of crash-involved vehicles are motorcycles, a very small number. Anti-choice advocates "select" portions of these studies to support their position that motorcyclists are disproportionately represented in insurance claims and create a "public burden". Simply not true.

Am I more likely to be injured in a motorcycle accident than in a car accident? Certainly, it's the nature of the beast. Am I more likely to be a public burden. Not according to the above studies. These are the facts based on all of the information available and not selectively choosing items to justify an opinion.

The majority of motorcycle/automobile accidents are caused by the car driver and are not the fault of the motorcycle rider. Education of both the motorcycle rider and the car driver is the rational way to reduce motorcycle fatalities. Helmets laws **DO NOT** prevent an accident nor do they make for a safer motorcycle rider.

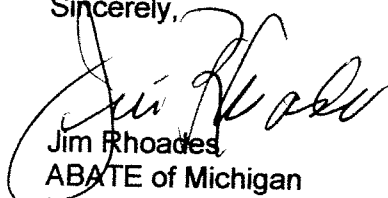
Michigan presently has a MOTORCYCLIST FUNDED safety program. ABATE of Michigan has taught "motorcycle awareness" classes at our own expense to over 50,000 new car drivers in drivers training schools. This state requires that all motorcyclists have an endorsement on their license to operate a motorcycle yet almost half of the motorcycle fatalities were not endorsed which means that they didn't have the proper riding skills. These are the alternatives that save lives.

Motorcycle rider education, car driver awareness, and strict licensing enforcement are what will reduce motorcycle accidents and fatalities. We should be focusing on what really matters, education.

What do 30 states, including every state surrounding Michigan, know that Michigan doesn't or are **THEY** all wrong. I again ask you to support freedom of choice and follow the lead of these other states in this matter.

Thank you for your time and consideration.

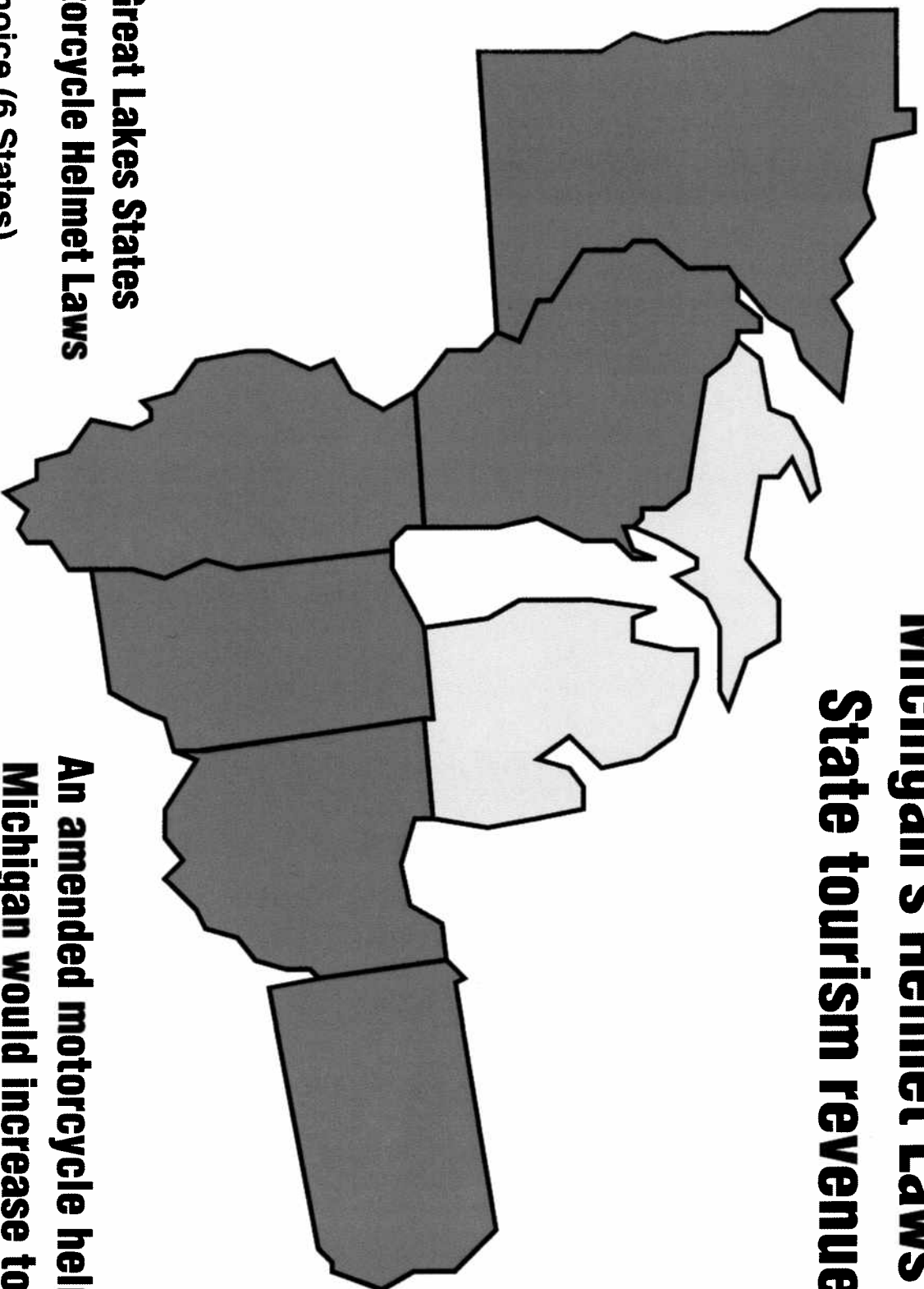
Sincerely,



Jim Rhoades  
ABATE of Michigan  
Legislative Director

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# Michigan's Helmet Laws risk State tourism revenues



**Great Lakes States**

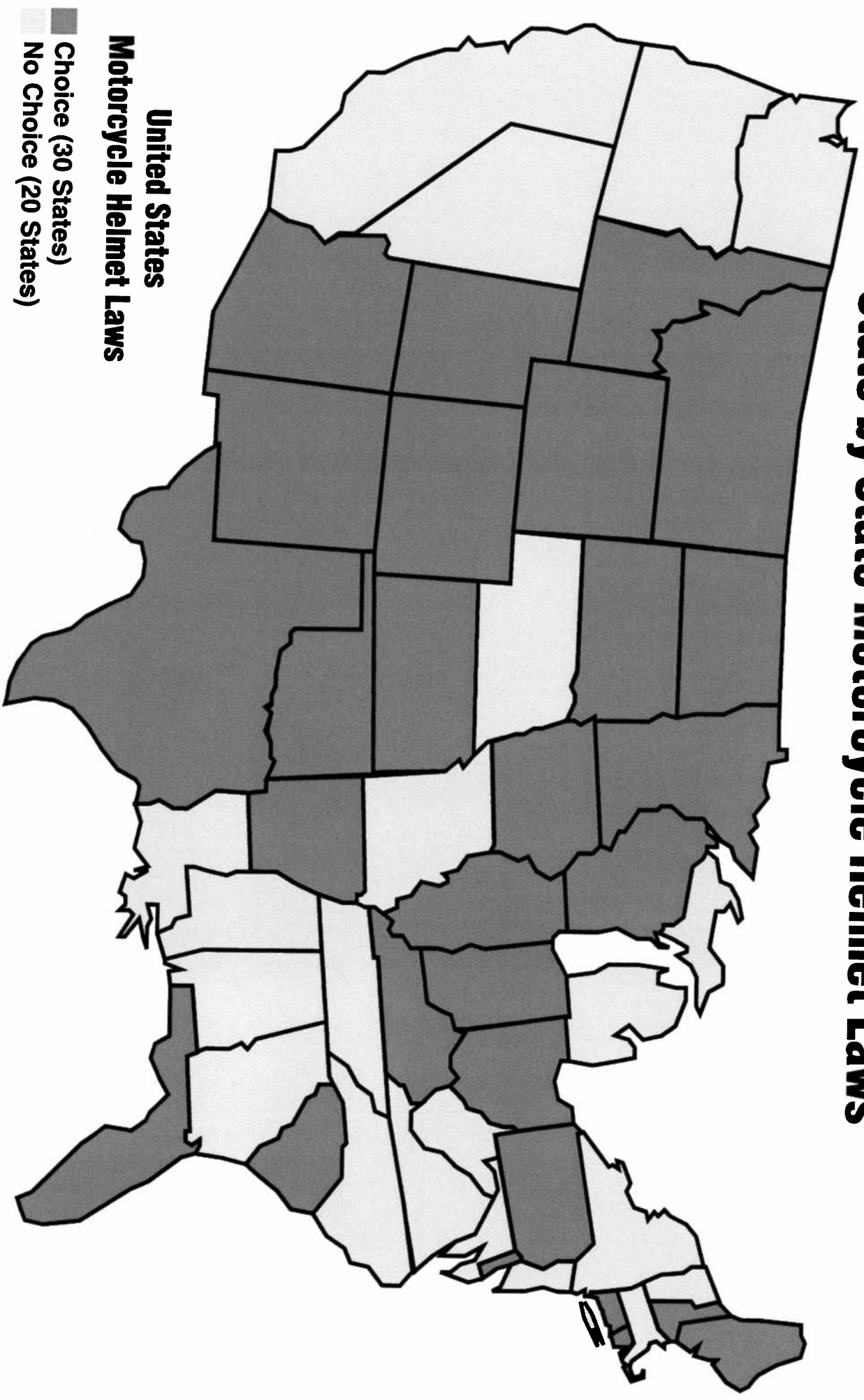
**Motorcycle Helmet Laws**

■ Choice (6 States)

■ No Choice (1 State)

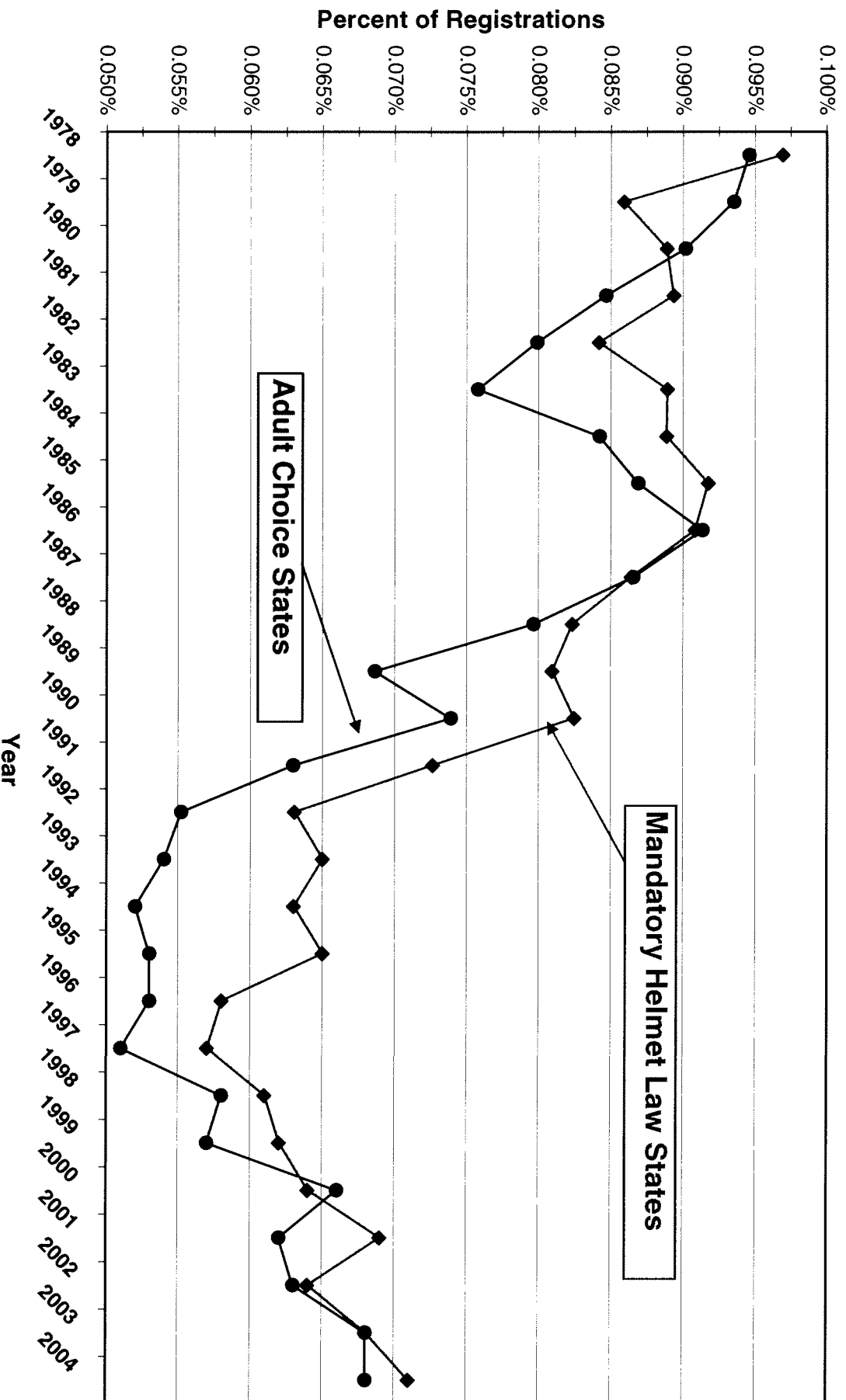
**An amended motorcycle helmet law in Michigan would increase tourism and spending dollars by over a billion dollars**

# State by State Motorcycle Helmet Laws



# Do Helmet Laws Affect Safety: The Facts

## 50 State Data, Fatalities in Percent of Registrations



### Comparison of States with mandatory helmet laws vs. States with modified laws

States where helmets are required for all motorcyclists					States which allow adult choice (age varies by state) or have no mandatory helmet law			
Year	Total Traffic Fatalities	Registered Motor-cycles (Thousands)	Motor-cyclist Fatalities	Motor-cyclist Fatalities per 10,000 Reg. Veh.	Total Traffic Fatalities	Registered Motor-Cycles (Thousands)	Motor-cyclist Fatalities	Motor-cyclist Fatalities Per 10,000 Reg. Veh.
1993	28,746	2,410	1,582	<b>6.5</b>	11,369	1,591	862	<b>5.4</b>
1994	28,854	2,300	1,449	<b>6.3</b>	11,822	1,631	855	<b>5.2</b>
1995	29,630	2,171	1,403	<b>6.5</b>	12,168	1,529	818	<b>5.3</b>
1996	29,143	2,279	1,321	<b>5.8</b>	12,764	1,593	839	<b>5.3</b>
1997	24,745	2,093	1,190	<b>5.7</b>	12,195	1,577	754	<b>4.8</b>
1998	24,231	2,026	1,235	<b>6.1</b>	17,240	1,813	1,049	<b>5.8</b>
1999	23,240	2,103	1,299	<b>6.2</b>	17,447	2,009	1,135	<b>5.6</b>
2000	20,435	1,958	1,272	<b>6.4</b>	18,387	2,135	1,331	<b>6.2</b>
2001	20,685	2,120	1,457	<b>6.9</b>	21,431	2,783	1,724	<b>6.2</b>
2002	21,042	2,289	1,470	<b>6.4</b>	21,773	2,834	1,774	<b>6.3</b>
2003	19,524	2,146	1,463	<b>6.8</b>	23,119	3,225	2,198	<b>6.8</b>
2004	19,491	2,342	1,656	<b>7.1</b>	23,231	3,437	2,352	<b>6.8</b>

Note: In 1993 there were 25 states where helmets were required for all motorcyclists and 25 that were adult choice.  
In 2002 there were 20 states where helmets were required for all motorcyclists and 30 that were adult choice.